

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

<b>NUR QADR (aka JEFFREY PRATT),</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>v.</b>	)	<b>Case No. 1:19-cv-310</b>
	)	
<b>EMPLOYEE YOUNT, et al,</b>	)	<b>Re: ECF Nos. 46, 48, 51, and 53</b>
	)	
<b>Defendants.</b>	)	

**MEMORANDUM ORDER**

This action was referred to United States Magistrate Judge Maureen P. Kelly, for report and recommendation in accordance with the Magistrate Judges Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrate Judges.

The operative complaint in this matter is the Amended Complaint filed at ECF No. 11. After an initial round of dispositive motions, the only remaining claim was a First Amendment claim based on the Free Exercise Clause.<sup>1</sup>

Following a period of discovery, Defendants filed a motion for summary judgment [ECF No. 53] and Plaintiff filed a motion, along with a supplemental motion, for summary judgment. ECF No. 46; ECF No. 48. Additionally, Plaintiff filed a motion for default judgment [ECF No. 51] based on Defendants' failure to file a response to his motions for summary judgment.

On May 3, 2022, Magistrate Judge Kelly issued a thorough and well-reasoned Report and Recommendation recommending that Defendants' motion for summary judgment be granted and that Plaintiff's motions for summary judgment be denied. Judge Kelly further recommended that

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<sup>1</sup> This Court allowed Plaintiff leave to amend his complaint to incorporate a claim under the Religious Land Use and Institutionalized Persons Act ("RLUIPA"), but Plaintiff elected not to amend his complaint in this regard. *See* ECF No. 38.

Plaintiff's motion for default judgment should be denied as without merit. ECF No. 61.

Objections to the Report and Recommendation were due by May 19, 2022. None have been filed.

After *de novo* review of the complaint and filings in the case, together with the report and recommendation, the following order is entered:

AND NOW, this 1st day of June 2022;

IT IS HEREBY ORDERED that Defendants' motion for summary judgment [ECF No. 53] is granted and Plaintiff's motions for summary judgment [ECF No. 46 and ECF No. 48] are denied.

IT IS FURTHER ORDERED that Plaintiff's motion for default judgment [ECF No. 51] is denied as it is without merit.

AND, IT IS FURTHER ORDERED that the Report and Recommendation of Magistrate Judge Kelly, issued on May 3, 2022 [ECF No. 61] is adopted as the opinion of the court. The Clerk of Court is directed to close this case.

  
SUSAN PARADISE BAXTER  
United States District Judge